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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,658	08/05/2002	Takayuki Sato	ALTE-014/00US	3729

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EXAMINER

TRAN, ELLEN C

ART UNIT PAPER NUMBER

2134

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/064,658	Applicant(s) SATO ET AL.	
	Examiner Ellen C. Tran	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: 5 June 2006 with acknowledgement of an original application filed 5 August 2002, with acknowledgement of foreign priority date of 23 August 2001.
2. Claims 1-17 are currently pending in this application. Claims 1 and 15 are independent claims. Claims 1-13 and 15-17 have been amended, claim 18 has been canceled; amendment to the claims is accepted.

Response to Arguments

3. Applicant's arguments with respect to 1-17 have been considered but they are not persuasive when noted below; arguments not noted are moot due to the new grounds for rejection initiated by amendment to the claims

In response to applicant's argument on page 6, "KING does not show or suggest the claimed reading unit to read a media access control address from a first holding unit which holds a memory storing thereon device identifiers". The Examiner does not agree, King discloses that the portable storage device can further include a MAC address, see col. 3, lines 25-36.

In response to applicant's argument on page 6, "Dependent claim 4 is particularly noteworthy, as it recites a setting unit to set a communication bandwidth. Thus a bandwidth may be varied in accordance with a setting condition". The Examiner agrees King not disclose a varied bandwidth, however the Examiner notes this is not the limitation initial or currently presented. As initial presented, Claim 4 "wherein said setting unit further sets bandwidth in the interconnecting device, of communication of the first device communication device identified by the first device identifier"; this limitation is shown in King col. 9, lines 28-49, in which the

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network identity determines which bandwidth is used for communication. As amended Claim 4, indicates the following “wherein said setting unit further sets a communication bandwidth for the first communication device”, there is no limitation presented that bandwidth is “varied in accordance with a setting condition”.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-17** are rejected under 35 U.S.C. 102(e) as being anticipated by King by US Patent No. 6,948,090 (hereinafter ‘090).

As to independent claim 1, “An interconnecting device to establish communication in a computer network with plural communication devices, comprising:” is taught in ‘090 col. 2, lines 42-44 (note the ‘interconnecting device’ is interpreted to have the same meaning as ‘processing unit with the portable storage device’);

“a first holding unit which holds a memory storing thereon device identifiers” is shown in ‘090 col. 3, lines 52-56;

“a reading unit operatively connected to said first holding unit said reading unit reading a media access control address (MAC) of a first communication device of the communication devices” is disclosed in ‘090 col. 3, lines 24-36 “ In a particular form of the

invention, the portable storage device is a card having a readable semiconductor memory, of the types typically known as a memory card or a smart card or the like, the device reader being arranged to receive and read the card memory ... The network identity can include, for example, a Media Access Control (MAC) address”;

“and; a setting unit operatively connecting to said reading unit, said setting unit setting a communication setting of the computer network to allow the first communication device to communicate in the computer network” is taught in ‘090 col. 2, lines 46-49.

As to dependent claim 2, “wherein the memory unit stores therein an encrypted MAC address, and the interconnecting device further comprises a decoder connected to said reading unit, which decodes the encrypted MAC address” is shown in ‘090 col. 11, lines 29-65.

As to dependent claim 3, “wherein said setting unit sets the interconnecting device to allow the first communication device to communicate with the interconnecting device” is disclosed in ‘090 col. 12, lines 9-49.

As to dependent claim 4, “wherein said setting unit further sets a communication bandwidth, for the first communication device” is taught in ‘090 col. 9, lines 28-49, (note, “Alternative examples of processing units may be provided with more than one communications port for connection to more than one data communications network. This is shown in FIG. 1 as the second communications network 3 ... This may also be required in order to increase the bandwidth which may be communicated to and from the motherboard. Another reason for providing two networks would be to allow for two separate networks to be established. One network may be used for system administration and one for network communications, which

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may include Internet access. The system administration may be performed by a management network. Therefore the communications port is arranged to provide multiple Ethernet ports through which data may be communicated in parallel. Accordingly, the smart card for this further embodiment will include a second network identity for use in communicating via the second network, and the NV RAM may include a second initial network identity” the card identity determines the communication bandwidth used for communication).

As to dependent claim 5, “further comprising a transmitting unit which transmits the MAC address to a second interconnecting device, to facilitate communication therewith” is shown in ‘090 col. 13, line 65 through col. 14, line 29 and col. 3, lines 35-36.

As to dependent claim 6, “wherein the second interconnecting device connects to a second computer network, and said transmitting unit transmits the MAC address to the second interconnecting device to allow the first communication device to communicate with the second computer network” is shown in ‘090 col. 4, lines 28-49.

As to dependent claim 7, “further comprising a transmitting unit operatively connecting to said setting unit and transmitting the first MAC address to a management apparatus of the computer network which manages the computer network to allow the first communication device identified by the first device identifier to communicate with the computer network” is taught in ‘090 col. 9, lines 28-49.

As to dependent claim 8, “further comprising a second holding unit operatively connected to said reading unit and holding a memory, wherein said reading unit reads a second device identifier of a second communication device of the plural communication devices, from the memory held by said second holding unit; and said setting unit sets the

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communication setting of the computer network to allow the second communication device to communicate with the computer network” is shown in ‘090 col. 13, line 65 through col. 14 line 29.

As to dependent claim 9, “wherein said setting unit sets the interconnecting device to allow the first communication device to communicate with the interconnecting device, and sets the interconnecting device to allow the second communication device to communicate with the interconnecting device” is disclosed in ‘090 col. 13, line 65 through col. 14 line 29.

As to dependent claim 10, “further comprising a first connection port to which the first communication device connects and a second connection port to which the second communication device connects, wherein said setting unit sets the interconnecting device to allow communication of the first communication device at said first connection port and the second communication device at said second connection port” is taught in ‘090 col. 9, lines 4-49.

As to dependent claim 11, “wherein said setting unit further sets a communication bandwidth at both said first connection port and said second connection port” is shown in ‘090 col. 9, lines 4-49.

As to dependent claim 12, “further comprising: a storage unit which stores therein a device identifier of at least one communication device, the device identifier allowing the communication device to communicate in the interconnecting device; and a communication controller connecting to said storage unit and restricting access to the interconnecting device from a communication device which is not allowed to communicate with the

interconnecting device, based on the device identifier stored in said storage unit” is disclosed in ‘090 col. 12, lines 9-16.

As to dependent claim 13, “wherein said setting unit stores in said storage unit the first device identifier read from said reading unit so as to allow the first communication device identified by the first device identifier read from said reading unit to communicate with the interconnecting device” is taught in ‘090 col. 13, lines 10-32.

As to dependent claim 14, “further comprising a plurality of connection ports to which a plurality of communication devices connect respectively, wherein said storage unit stores therein a device identifier of at least one of the communication devices, the device identifier allowing the communication device to communicate at a corresponding connection port out of said plurality of connection ports, which correspond to a plurality of communication devices respectively” is shown in ‘090 col. 9, lines 28-44.

As to independent claim 15 “A computer readable medium storing thereon a communication setting program for an interconnecting device, which sets a communication setting of a computer network, the program comprising:” is taught in ‘090 col. 2, lines 42-44;

“a reading module which allows the interconnecting device to read from a removable nonvolatile memory a media access control address (MAC address) of a communication device, which is allowed to communicate in the computer network” is shown in ‘090 col. 3, lines 24-56;

“and a setting module which allows the interconnecting device to set a communication setting of the computer network to allow the communication device

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identified by the MAC address to communicate in the computer network” is disclosed in ‘090 col. 2, lines 45-49.

As to dependent claim 16, “wherein said setting module sets the interconnecting device to allow the communication MAC address by the device identifier to communicate in the interconnecting device” is shown in ‘090 col. 12, lines 9-49 and col. 11, lines 44-48.

As to dependent claim 17, this claim is substantially similar to claim 5; therefore it is rejected along similar rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:00 am to 2:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques H. Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ECT

Ellen. Tran
Patent Examiner
Technology Center 2134
14 August 2006

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